

Chair Roegner, Vice Chair McColley, Ranking Member Craig, and Members of the Government Oversight and Reform Committee:

I offer my testimony in opposition to SB22. I understand and appreciate the bill's sponsors aspire to allow for legislative oversight of the Governor's executive orders and certain public health orders. But reading this bill and listening to the testimony of sponsors and proponents, I am deeply concerned about the overreach of the Ohio Legislature in its continued attempts to impair the ability of the executive branch to protect the Ohio people during a public health crisis.

This bill, if passed, would provide an imbalance of power to the legislative branch, thwarting the authority of state public health officials whose purpose is to protect the health and safety of Ohioans. We would have to rely on a body of 10 legislators to know more about how to mitigate a public health crisis, rather than being allowed to rely on an entire state department of public health officials. This is not a reassuring scenario.

Bill sponsors have stated their concerns that the actions of the executive branch over the last year have been unchecked. Specifically, as stated in their Sponsor Testimony to this committee: "This bill restores reasonable checks and balances that are crucial to a well-functioning government."

Yet the same Sponsor Testimony goes on to state, in reference to public health orders: "These orders have continuously been extended with no legislative oversight or approval, and have essentially granted the Governor's office lawmaking authority that it simply does not have under our Constitution. To reiterate this point, I'd like to cite a few cases in the state of Ohio where the judicial branch had agreed with that sentiment. As of the fall, there were 5 cases that have been filed against the state of Ohio in state courts for powers under 3701.13-14. In all 5 of these cases, the courts have ruled against the state. These courts have ruled that venerable and fundamental rights have been violated with these orders."

As the Sponsor Testimony attests, the government of Ohio DOES have a system of checks and balances, and it works. The fact that the checks and balances are not being administered, in this particular case, by the legislative body appears to be the driving factor behind this bill. Senate Bill 22 seems less about checks and balances, and more about who has the power to do the checking. This is a power grab.

It is true that our businesses, our economy, our health, our social and emotional well-being and as well as the education and well-being of our children all are impacted by this pandemic. These are important matters for the Ohio Legislature to consider in the scope of its work, in caring for its constituents.

The proper and much-needed role of the Ohio Legislature during this trying time is to assist with legislating remedies to assist ALL Ohioans: we need more resources for local health departments and health care providers, we need more resources for schools, and we need financial relief for businesses and individuals. **Step up the fight for Ohioans in partnership with the executive branch, not in opposition to it.** Our state cannot thrive under the political divisiveness that some have chosen to create and perpetuate during this pandemic.

Please stand up for the health, safety and welfare of all Ohioans by voting NO on SB22.

Thank you,

Stacey Hartley
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